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INFORM CONSULS

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SUBJECT:WEEKLY LEGISLATIVE REPORT, AUGUST 7-18

1. SUMMARY: THE ADMINISTRATION WON SEVERAL VICTORIES IN
CONFERENCE ON THE SECURITY ASSISTANCE AND STATE DEPARTMENT
AUTHORIZATION BILLS AND ON THE HOUSE FLOOR ON THE FOREIGN
ASSISTANCE APPROPRIATIONS BILL. THE SECRETARY BRIEFED
THE SFRC AUGUST 14 ON HIS RECENT MIDDLE EAST TRIP AND
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PREPARATIONS FOR THE CAMP DAVID SUMMIT. END SUMMARY.

2. ZAIRE AIRLIFT AND WAR POWERS

THE HOUSE SUBCOMMITTEE ON INTERNATIONAL SECURITY AND
SCIENTIFIC AFFAIRS HELD HEARINGS AUGUST 10 ON THE APPLI-
CABILITY OF THE WAR POWERS RESOLUTION TO THE ZAIRE AIRLIFT.
HERB HANSELL TESTIFIED.

PAUL FINDLEY AND JAMES JOHNSON ARGUED THAT THE RESOLUTION

APPLIED; CLEM ZABLOCKI AND JACK BINGHAM AGREED WITH US THAT THE RESOLUTION DID NOT APPLY. ZABLOCKI COMMENDED THE ADMINISTRATION'S GENERAL RECORD OF CONSULTATIONS WITH CONGRESS.

FINDLEY INTRODUCED A RESOLUTION CALLING FOR THE PRESIDENT TO SUBMIT A REPORT ON THE ZAIRE AIRLIFT, BUT IT IS DOUBTFUL THAT IT WILL BE ADOPTED OR THAT ANY FURTHER ACTION WILL BE TAKEN.

3. FOREIGN ASSISTANCE APPROPRIATIONS BILL

MONDAY, AUGUST 14, THE HOUSE PASSED THE FOREIGN ASSISTANCE APPROPRIATIONS BILL (H.R. 12931) BY A VOTE OF 233-167. THE HOUSE APPROVED A TOTAL OF \$7.176 BILLION, A \$177 MILLION CUT FROM THE AMOUNT RECOMMENDED BY THE APPROPRIATIONS COMMITTEE, BUT FAR BETTER THAN HAD BEEN EXPECTED. SPECIFIC FUNDING ACTIONS WERE:

--A 2 CUT IN THE TOTAL BUDGET AUTHORITY IN TITLE I OTHER THAN FOR THE SUMS ALLOCATED TO ISRAEL, EGYPT, JORDAN AND SYRIA, PROVIDED THAT NOT MORE THAN 5 BE CUT FROM ANY ONE ACCOUNT. THIS IS AN EFFECTIVE CUT OF \$43 MILLION LIMITED OFFICIAL USE LIMITED OFFICIAL USE

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FROM TITLE I WHICH CONTAINS ALL A.I.D.-RELATED ACCOUNTS AS WELL AS SEVERAL OTHERS.

--A \$12.6 MILLION CUT FROM TITLE II (FOREIGN MILITARY CREDIT SALES) PROVIDING THAT NOT MORE THAN \$2.5 MILLION SHALL BE AVAILABLE FOR LEBANON AND NOT MORE THAN \$8.5 MILLION FOR JORDAN.

--A \$40,586,828 CUT FROM TITLE III, THE BULK OF IT FROM THE IFIS.

AMENDMENTS APPROVED WERE:

--AMENDMENT TO ADD \$10 MILLION TO THE ECONOMIC REPORT FUND FOR REFUGEES IN CYPRUS.

--AMENDMENT TO STRIKE THE \$90 MILLION EARMARKED FOR SYRIA IN THE ESF (280-103).

--BINGHAM/HADLEY AMENDMENT EXEMPTING UGANDAN GRADUATE STUDENTS COMPLETING THEIR STUDIES AT U.S. INSTITUTIONS FROM THE PROHIBITION ON DIRECT ASSISTANCE TO UGANDA AND PERMITTING THE USE OF FUNDS FOR THE IMPLEMENTATION OF TRAINING OF ANGOLAN STUDENTS WHO STARTED TRAINING PRIOR TO FY 1978.

--AMENDMENT PROHIBITING USE OF PEACE CORPS FUNDS TO PAY FOR ABORTIONS.

--AMENDMENT PROHIBITING USE OF U.S. FUNDS APPROPRIATED TO IDA TO FINANCE ANY ASSISTANCE OR REPARATIONS TO

TO VIETNAM (234-152).

--ASHBROOK AMENDMENT THAT PROHIBITS USE OF FUNDS FOR INDIRECT AID TO CUBA.
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--YOUNG AMENDMENT DIRECTING U.S. GOVERNORS TO THE IFIS TO PROPOSE AND SEEK ADOPTION OF AMENDMENTS TO THE BANKS' CHARTERS TO ESTABLISH HUMAN RIGHTS STANDARDS TO BE CONSIDERED WITH EACH APPLICATION FOR ASSISTANCE.

AMENDMENTS REJECTED WERE:

--A CUT OF \$49 MILLION FROM THE FOOD AND NUTRITION ACCOUNT AS PART OF THE INDIA PROGRAM (200-194).

--A CUT OF \$6.8 MILLION FROM THE UNDP (202-189).

--CLARENCE MILLER AMENDMENT TO CUT 8 ACROSS-THE-BOARD (199-184) IN FAVOR OF HARKIN SUBSTITUTE LIMITING CUTS TO 2 FOR PROGRAMS NOT PREVIOUSLY CUT BY 2 (289-95).

--A MOVE TO ELIMINATE FUNDS FOR A.I.D. ENTERTAINMENT EXPENSES (VOICE VOTE).

--A PROHIBITION ON "INDIRECT" ASSISTANCE TO UGANDA, CAMBODIA, LAOS OR VIETNAM (203-198). ALSO, A HARKIN AMENDMENT TO YOUNG AMENDMENT TO ADD CHILE, ARGENTINA, URUGUAY, KOREA, NICARAGUA, INDONESIA AND THE PHILIPPINES TO YOUNG'S LIST OF PROHIBITED COUNTRIES (360-41).

--A PROHIBITION ON "INDIRECT" ASSISTANCE TO MOZAMBIQUE OR ANGOLA (VOICE VOTE).

--A LONG AMENDMENT TO CUT \$584 MILLION FROM IDB AND IDA SET ASIDE BY AN OBEY AMENDMENT TO LIMIT THE CUT TO \$25 MILLION. THE OBEY AMENDMENT CARRIED BY A VOTE OF 241-153.

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--A PROHIBITION ON FUNDS AVAILABLE THROUGH THE IFIS TO SUPPORT PRODUCTION FOR EXPORT OF STEEL, GRAINS, SUGAR,

PALM OIL, CITRUS CROPS, TOBACCO AND TIRES (239-143).

--A CUT OF \$5 MILLION FROM MILITARY ASSISTANCE FOR THE PHILIPPINES (264-142).

--A CUT OF \$600,000 FROM IMET FOR AFGHANISTAN (236-152).

--A CUT OF \$13.5 MILLION FROM IMET ON HUMAN RIGHTS GROUNDS (VOICE VOTE).

--A CUT OF \$1.3 MILLION FROM PEACE CORPS FOR THE CENTRAL AFRICAN EMPIRE (VOICE VOTE).

--A PROHIBITION ON ANY ASSISTANCE TO PANAMA (202-172).

4. SECURITY ASSISTANCE AUTHORIZATION BILL

HOUSE SENATE CONFEREES COMPLETED ACTION ON THE SECURITY ASSISTANCE AUTHORIZATION BILL ON AUGUST 15. THE CONFERENCE REPORT WILL GO TO THE HOUSE FLOOR IN EARLY SEPTEMBER, AND TO THE SENATE THEREAFTER. THE PRINCIPAL ISSUES COVERED IN THE CONFERENCE INCLUDED:

--RHODESIA EMBARGO

THE CONFEREES ACCEPTED A COMPROMISE ON RHODESIA WHICH PROVIDED THAT SANCTIONS WOULD NOT BE LIFTED UNLESS THE PRESIDENT MADE A DETERMINATION THAT (A) AN ALL-PARTIES CONFERENCE HAD BEEN HELD UNDER INTERNATIONAL AUSPICES ON ALL RELEVANT ISSUES AND (B) A GOVERNMENT HAD BEEN INSTALLED AFTER FREE INTERNATIONALLY-MONITORED ELECTIONS IN WHICH ALL POLITICAL AND POPULATION GROUPS HAD BEEN ALLOWED TO PARTICIPATE. THIS PRESERVES THE BEST OF THE PRINCIPLES EMBODIED IN THE SENATE VERSION.

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--TURKEY

THE CONFEREES ADOPTED THE WRIGHT AMENDMENT REQUIRING A PRESIDENTIAL CERTIFICATION TO LIFT THE TURKISH ARMS EMBARGO BUT THEIR REPORT MAKES CLEAR THAT SUCH A CERTIFICATION WOULD CONSTITUTE A DE FACTO REPEAL AND NOT A MERE SUSPENSION OF THE EMBARGO. THE CONFERENCE ACCEPTED SEVERAL PARAGRAPHS FROM THE BYRD-MCGOVERN AMENDMENT IN THE SENATE CALLING FOR THE MAINTENANCE OF THE CURRENT MILITARY BALANCE BETWEEN GREECE AND TURKEY BUT TEMPERED THIS WITH LANGUAGE MAKING POSSIBLE UNLIMITED SALES TO GREECE AND TURKEY FOR LEGITIMATE SELF-DEFENSE OR NATO PURPOSES. THE CONFERENCE ALSO AGREED TO GIVE GREECE \$35 MILLION IN GRANT MILITARY ASSISTANCE IN FY 1979 ON TOP OF \$140 MILLION IN FMS CREDITS.

--INTERNATIONAL NARCOTICS CONTROL

THE CONFEREES DECIDED TO PROHIBIT USE OF US FUNDS FOR SPRAYING MARIJUANA WITH HERBICIDES, UNLESS THE HERBICIDES ARE TREATED WITH A SUBSTANCE WHICH WOULD "CLEARLY AND READILY" WARN POTENTIAL MARIJUANA USERS.

--PEACEKEEPING OPERATIONS

THE CONFEREES REJECTED HOUSE LANGUAGE WHICH COULD HAVE PERMITTED THE PRESIDENT TO TRANSFER AND CONSOLIDATE WITH PEACEKEEPING FUNDS AND AMOUNT NOT TO EXCEED TEN PERCENT OF ECONOMIC SUPPORT FUNDS. THIS LIMITS THE PRESIDENT'S EMERGENCY PEACEKEEPING FUND TO \$6 MILLION WITH NO PROVISION FOR TRANSFERRING FUNDS IN AN EMERGENCY.

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--MILITARY TRAINING AND HUMAN RIGHTS

THE CONFEREES ACCEPTED HOUSE LANGUAGE WHICH WOULD MAKE A COURSE IN HUMAN RIGHTS A PREREQUISITE FOR ALL OTHER COURSES TAKEN BY FOREIGN MILITARY TRAINEES IN THE U.S. THE CONFEREES DECIDED NOT TO MENTION NICARAGUA OR PARAGUAY BY NAME IN THE ACT AS PROPOSED BY THE SENATE BUT ACCEPTED THE SENATE REDUCTION OF THE TOTAL IMET (MILITARY TRAINING) FIGURE OF \$300,000 (THE AMOUNT WHICH WOULD HAVE BEEN USED FOR IMET FOR NICARAGUA AND PARAGUAY).

--ANNUAL ARMS TRANSFERS ESTIMATE REPORT

THE CONFEREES ACCEPTED A MODIFIED SENATE AMENDMENT (JAVITS) WHICH REQUIRES THE STATE DEPARTMENT TO REPORT TO BOTH THE HIRC AND SFRC BY NOVEMBER 15 EACH YEAR THE PROSPECTIVE DEFENSE EQUIPMENT SALES FOR THAT FISCAL YEAR. THE REPORT MAY BE CLASSIFIED, AND ITS SUBMISSION WILL NOT IMPLY ADMINISTRATION ENDORSEMENT OF THE PROPOSED SALES.

--US-ROC MUTUAL DEFENSE TREATY

THE CONFEREES ACCEPTED A SENATE AMENDMENT STATING THAT PROPOSED POLICY CHANGES AFFECTING THE US-ROC MUTUAL DEFENSE TREATY SHALL BE A MATTER FOR PRIOR CONSULTATION WITH THE CONGRESS.

--NON-IMMIGRANT VISA WAIVERS

THE CONFEREES REJECTED THE AMENDMENT SPONSORED BY SENATOR BAKER WHICH WOULD HAVE STRICKEN THE MCGOVERN AMENDMENT FROM THE IMMIGRATION AND NATIONALITY ACT AND WOULD HAVE

RESTORED THE MORE COMPLEX WAIVER PROCEDURES FOR COMMUNIST AND OTHER POLITICALLY UNQUALIFIED APPLICANTS WHICH EXISTED PRIOR TO LAST YEAR'S ACTION.

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--US-SOVIET RELATIONS

THE CONFEREES ACCEPTED A SENSE OF THE CONGRESS RESOLUTION CALLING FOR A PRESIDENTIAL REVIEW OF US POLICY TOWARD THE

SOVIET UNION AND REQUIRING A REPORT TO THE CONGRESS BY DECEMBER 31.

--ISRAEL AND EGYPT

THE CONFEREES CALLED FOR CONTINUED U.S. EFFORTS TO PROMOTE ISRAEL-EGYPT NEGOTIATIONS AND TO ENCOURAGE OTHER ARAB STATES TO JOIN IN THE NEGOTIATIONS. THEY ALSO AGREED IT WAS THE SENSE OF THE CONGRESS THAT THE U.S. SHOULD BE RESPONSIVE TO ISRAEL'S ECONOMIC AND DEFENSE NEEDS, INCLUDING THE PROVISION OF ADVANCED AIRCRAFT.

--MIDDLE EAST EARMARKED FUNDS

THE CONFEREES AGREED TO EARMARK ECONOMIC SUPPORT FUNDS (ESF, FORMERLY SECURITY SUPPORTING ASSISTANCE) FOR ISRAEL (\$785 MILLION), EGYPT (\$750 MILLION) AND JORDAN (\$93 MILLION). THE HOUSE VERSION, CONTAINING \$90 MILLION FOR SYRIA AS WELL, WAS NOT ACCEPTED. TWO THIRDS OF THE ASSISTANCE TO ISRAEL AND EGYPT IS TO BE ON A GRANT BASIS AND AT LEAST \$65 MILLION OF THE FUNDS FOR EGYPT ARE REQUESTED TO BE USED FOR DEVELOPING PRIVATE ENTERPRISE.

5. STATE DEPARTMENT AUTHORIZATION BILL

HOUSE AND SENATE CONFEREES COMPLETED ACTION ON THE FY 79 STATE DEPARTMENT AUTHORIZATION BILL (SEPTEL) AUGUST 7 WITH A FINAL FLOOR VOTE NOT EXPECTED UNTIL AFTER THE
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LABOR DAY RECESS. SEVERAL CONSTRAINTS VICTORIES WERE WON AND IMPORTANT HOUSEKEEPING MEASURES WERE PASSED -- INCLUDING PROVISION FOR A "ONE YEAR HIGH" WHICH MAY YET INCUR A PRESIDENTIAL VETO.

6. TRADE EMBARGO ON UGANDA

THE HOUSE OF REPRESENTATIVES ADJOURNED ON AUGUST 17 WITHOUT TAKING ACTION TO APPOINT THEIR CONFEREES FOR THE IMF-WITTEVEEN FACILITY LEGISLATION. THIS MEANS THAT A DECISION ON THE TRADE EMBARGO FOR UGANDA WILL NOT BE TAKEN BEFORE EARLY SEPTEMBER. SENATORS CHURCH AND JAVITS HAVE APPARENTLY DECIDED NOT TO PURSUE THEIR "COMPROMISE" FORMULATION, WHICH WOULD HAVE INVOLVED A SUBSTANTIAL PRESIDENTIAL ROLE IN IMPOSING A UGANDAN TRADE EMBARGO. INSTEAD, THEY INTEND TO WAIT TO SEE HOW THE HOUSE CONFEREES ARE INSTRUCTED, BUT ARE GENERALLY INCLINED TO SUPPORT THE HATFIELD/WEICKER AMENDMENT, WHICH WOULD PROVIDE FOR AN IMMEDIATE, CONGRESSIONALLY MANDATED EMBARGO.

7. TLAELOLCO (LATIN AMERICAN NUCLEAR FREE ZONE)

WE HAVE CONSULTED CLOSELY WITH THE SENATE FOREIGN RELATIONS COMMITTEE STAFFERS ON HOW WE SHOULD PROCEED ON THE RATIFICATION OF PROTOCOL 1 OF THE TREATY OF TLAELOLCO. THEY ARE PESSIMISTIC ABOUT THE CHANCES OF GETTING ACTION IN THIS SESSION OF CONGRESS. HOWEVER, GIVEN OUR DESIRE TO CONTINUE TO MAKE AN EFFORT TO GET IT APPROVED IN THIS SESSION, THEY HAVE RECOMMENDED THAT WE GET EFFECTIVE WRITTEN ANSWERS AS SOON AS POSSIBLE TO SENATORS GLENN AND SARBANES' CONCERNS WHICH CENTER ON THE RUSSIAN RESERVATION ON SHIP TRANSITS. ONCE THE SENATORS HAVE HAD A CHANCE TO STUDY THESE REPLIES, WE WILL HAVE KEY DEPARTMENT OFFICIALS GIVE THEM A PERSONAL BRIEFING WITH THE STRONG RECOMMENDATION THAT THE COMMITTEE REPORT OUT THE TREATY AS SOON AS POSSIBLE. IF WE CAN GET A COMMITTEE REPORT, WE WILL STILL
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HAVE TO GET THE MAJORITY LEADER'S AGREEMENT TO SCHEDULE THE PROTOCOL FOR FLOOR ACTION IN THE LIMITED REMAINING TIME IN THIS SESSION.

8. SENATE ACTION ON DIPLOMATIC IMMUNITY LEGISLATION

THE SENATE PASSED THE DIPLOMATIC IMMUNITIES AND PRIVILEGES BILL ON AUGUST 17 BY VOICE VOTE. THE BILL INCLUDED THE CHANGES IN LAW WHICH BRING US IN CONFORMITY WITH THE VIENNA CONVENTION. A COMPANION BILL PASSED IN THE HOUSE LAST SESSION, AND SENATOR SARBANES, AND SENATE AND HOUSE COMMITTEES STAFFERS, ARE OPTIMISTIC THAT DIFFERENCES BETWEEN THE HOUSE AND SENATE VERSIONS CAN BE RESOLVED AND A BILL AGREED UPON AND SENT TO THE PRESIDENT BEFORE ADJOURNMENT IN OCTOBER. CHRISTOPHER

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